

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF COLUMBIA

JESUS BADAL
620 Raleigh Place SE
Washington, DC 20032
Plaintiff

VS

Civil Action No.:

LASER SPINE INSTITUTE
676 Swedesford Road
Wayne, PA 19087

Jury Trial Demanded

and

Dr. Keith Girtin
676 Swedesford Road
Wayne, PA 19087

and

Dr. Eric Finkelstein
676 Swedesford Road
Wayne PA 19087

Defendants

COMPLAINT

The Parties

1. The Plaintiff, Jesus Badal, citizen of the District of Columbia, residing at 620 Raleigh Place SE, Washington, DC 20012

2. The Defendant, Laser Spine Institute is a Florida Limited Liability Company, with its principal place of business located at 3001 North Rocky Point Drive E., Suite 185, Tampa, Florida 33607 and a local facility located at 676 Swedesford Road, Wayne, PA 19087.

The Defendant Keith Girtin is an orthopaedic surgeon with offices located at 676 Swedesford Road, Wayne, PA 19087. He is an employee and agent of the Laser Spine Institute.

The Defendant Eric Finkelstein is an orthopaedic surgeon with offices located at 676 Swedesford Road, Wayne, PA 19087. He is an employee and agent of the Laser Spine Institute.

JURISDICTION

3. The Subject matter over the controversy that is the subject of this Complaint is invoked pursuant to 28 U.S.C. section 1332 since the Plaintiff and the Defendants are citizens of different states and the amount in controversy exceeds the sum of \$75,000.00.

4. Personal jurisdiction is proper in that the Defendants regularly do business in the District of Columbia by advertising on television to solicit patients in the District of Columbia.

VENUE

5. The is the proper venue for this matter since the Defendant Laser Spine Institute do business within the District of Columbia by its repeated television advertising of its services on television stations in the District of Columbia. The television advertising solicits individuals in the District of Columbia who have back problems to contact to contact the Laser Spine Institute for its services.

BACKGROUND

6. The Plaintiff, Jesus Badal, was injured in an automobile accident on June 28,2010. His back was injured in the cervical area and the lumbar area. The Plaintiff was treated with no success by orthopaedic surgeons, pain management physicians, neurosurgeons, chiropractic and had numerous epidurals in his spine, in the Washington area without success. The Plaintiff viewed repeated television advertisements by the Defendant, Laser Spine Institute, indicating that it could treat his back and neck problems with minimally invasive laser surgery.

7. At all times material, Laser Spine Institute directly marketed itself to the general

public as a provider of minimally invasive outpatient surgical procedures to persons suffering from back pain. Laser Spine Institute overstated benefits of its procedures in its comparisons between the alternative endoscopic procedures that it provides to patients and open procedure more traditionally provided to patients.

8. Laser Spine Institute, through its direct to the public marketing campaign, attempts to create the impression that its alternative endoscopic treatments are comparable to and provide even more effective results than conventional open fusion procedures by claiming that it is able to provide an “advanced alternative to fusions and hardware,” and that it is able to do so with no hospitalizations, smaller incisions, less blood loss, no general anesthesia, “cutting edge medical technology,” shorter recovery times, and a return to normal activity within days. The traditional back surgery requires extensive hospitalizations, much longer recovery times, greater blood loss, and longer down time.

9. The direct to the public marketing tactics employed by Laser Spine Institute, however, mistake the facts and mislead the general public. For example, Laser Spine Institute fails to tell the public through its marketing that its alterative outpatient endoscopic spinal procedures only temporarily treat symptoms and cannot treat and provide a long term solution for many of the underlying conditions which cause chronic and recurring back pain.

10. In this direct to the public marketing and advertising, Laser Spine Institute fails to inform the public it can only treat the resulting symptoms of those conditions, and the relief obtained, if any, will only be temporary, Laser Spine Institute also fails to tell the public and its patients, including BADAL, that any benefit related to the laser ablation procedures advertised by Laser Spine Institute will only be temporary as the nerve endings which are burned off by this procedure regenerate over time, and there is no clinical basis to conclude that it can serve as a

permanent solution to such injuries.

11. Laser Spine Institute, through its direct to the public advertising and marketing misleads the general public and its patients regarding the effectiveness of its treatments in addressing the cause of patient back pain and related symptoms by overstating the capabilities of the non-hospital based outpatient procedures it provides. It systematically and intentionally fails to provide unbiased, medically accurate, and complete explanations of the relative capabilities of procedures available to treat patients, such as BADAL, who are suffering from back pain and back pathology.

COUNT 1

(Medical Negligence against GIRTIN and FINKELSEIN)

12. The Plaintiff adopts all the allegations in paragraphs 1 through 11 and further states.

13. BADAL came under the care of Girtin, Finkelstein and LASER SPINE INSTITUTE.

14. On May 13, 2013, Girtin, assisted by Finkelstein performed laser surgery on Badal in the L5/S1 area of his spine.

15. On May 20, 2013 Girtin, assisted by Finkelstein performed laser surgery on Badal in the C5/C6 area of his spine.

16. The total charge for these two outpatient surgeries was \$193,204.32.

17. On May 13, 2013 , GIRTIN performed spine surgery on BADAL. Specifically, GIRTIN performed destruction by thermal ablation of the paravertebral Facet Joint Nerves bilaterally at BADAL'S L5/S1 level and on the left side at L4/5. GIRTIN also performed Lumbar Laminotomy and Foraminotomy including partial Facetectomy with decompression of the Nerve Roots on the right at L4/5.

18. The surgery performed by GIRTIN and assisted by FINKELSTEIN was not medically indicated and performing such a surgery under the circumstances of the case was beneath the

applicable standard of care.

BADAL'S presentation, including his history, diagnostic test results, and imaging studies made plain that the procedures performed would not address his pathology, and would unnecessarily expose him to injury and damages.

19. GIRTIN and FINKELSTEIN knew or should have known that the surgery he performed on BADAL was not indicated, but chose to perform such surgery for financial gain and with the utter disregard for the safety and well being of his patient.

20. The acts and omissions set out above constitute breaches of the prevailing professional standard of care, skill, and treatment which, in light of all relevant surrounding circumstances, is recognized as acceptable and appropriate by reasonably careful and similarly trained physicians.

21. As a direct and proximate result of the above negligence and wrongful conduct, BADAL suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earnings, loss of earning capacity and aggravation of a previously existing condition; the injuries are either permanent or continuing in nature and BADAL will suffer the losses and impairment in the future.

22. Within a few weeks after the surgery, all pain returned to BADAL'S back.

23. Laser Spine Institute and Girtin and Finkelstein informed BADAL that a second surgery would be necessary. BADAL was informed that he would have to post \$50,000.00 in advance of the surgical procedure.

24. The conduct causing BADAL'S injuries was so gross and flagrant as to show a reckless disregard of human life or of the safety of persons exposed to the effects of such conduct; or the conduct showed such an entire lack of care that there must have been conscious indifference to the

consequences; or the conduct showed such an entire lack of care that there must have been wanton or reckless disregard for the safety of the public; or the conduct showed such reckless indifference to the rights of others as to be equivalent to an intentional violation of those rights.

WHEREFORE Plaintiff demands judgment for punitive and compensatory damages against defendant, together with costs and prejudgment interest on medical expenses actually paid and other economic damages, and such other and further relief as this court may deem proper.

COUNT II

Negligence/Direct and Vicarious Liability against

LASER SPINE INSTITUTE

25. The Plaintiff adopts the allegations in paragraphs 1 through 24 and further states.

26. The wrongful conduct described above occurred within the scope of GIRTIN AND FINKELSTEIN'S employment with Laser Spine Institute. Moreover, Laser Spine Institute participated in, ratified and condoned GIRTIN and FINKELSTEIN'S wrongful acts or omissions.

WHEREFORE Plaintiff demands judgment for punitive and compensatory damages against defendant Laser Spine Institute, together with costs and prejudgment interest on medical expenses actually paid and other economic damages, and for such other and further relief this honorable court may deem just and proper.

COUNT III

FRAUD

27. The Plaintiff adopt the allegations in Paragraphs 1 through 21 and further states:

28. The actions of the Defendant Laser Spine Institute, individually, and through its agents, defendants Girtin and K. Finkelstein, in failing to inform the Plaintiff that the procedures

recommended and performed were not medically necessary and that the procedures would only temporarily relieve the pain was dishonest and that their actions were so gross and misleading as to amount to fraud. In addition, their charge of \$193,204.32 for two unnecessary outpatient surgeries and their attempt to cause the Plaintiff to expend another \$50,000.00, is unconscionable, amounts to price gauging and fraud upon Badal and the public in general. The Defendants knew, or should have known that the surgeries would not do what they claimed and yet they continued to fraudulently claim that the procedures would cure his pains on a permanent basis.

WHEREFORE Plaintiff demands judgment for punitive and compensatory damages against defendant, together with costs and prejudgment interest on medical expenses actually paid and other economic damages, and such other and further relief as this court may deem proper.

/s/ Robert W. King
Robert W. King 922575
Attorney for Plaintiff
5303 Baltimore Ave. Suite 210
Hyattsville, MD 20781
(301) 699-1340
Fax: (301) 699-1245
Email: bobking@silverkinglaw.com

CIVIL COVER SHEET

JS-44 (Rev. 3/16 DC)

I. (a) PLAINTIFFS Jesus Badal 620 Raleigh Place SE Washtington, DC 20032 (b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF <u>DC</u> (EXCEPT IN U.S. PLAINTIFF CASES)	DEFENDANTS Laser Spine Institute 676 Swedsford Road Berwyn PA 19087 COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____ (IN U.S. PLAINTIFF CASES ONLY) <small>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED</small>
(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) Robert W. King Robert W. King, Attorney at Law 5303 Baltimore Ave. Suite 210 Hyattsville, MD 20781	ATTORNEYS (IF KNOWN)

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY) <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width:45%;"> <input type="radio"/> 1 U.S. Government Plaintiff </div> <div style="width:45%;"> <input type="radio"/> 3 Federal Question (U.S. Government Not a Party) </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width:45%;"> <input type="radio"/> 2 U.S. Government Defendant </div> <div style="width:45%;"> <input checked="" type="radio"/> 4 Diversity (Indicate Citizenship of Parties in item III) </div> </div>	III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY! <table style="width:100%; border: none;"> <thead> <tr> <th></th> <th style="text-align: center;">PTF</th> <th style="text-align: center;">DFT</th> <th></th> <th style="text-align: center;">PTF</th> <th style="text-align: center;">DFT</th> </tr> </thead> <tbody> <tr> <td>Citizen of this State</td> <td style="text-align: center;"><input checked="" type="radio"/> 1</td> <td style="text-align: center;"><input type="radio"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td style="text-align: center;"><input type="radio"/> 4</td> <td style="text-align: center;"><input type="radio"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="radio"/> 2</td> <td style="text-align: center;"><input type="radio"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="radio"/> 5</td> <td style="text-align: center;"><input checked="" type="radio"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="radio"/> 3</td> <td style="text-align: center;"><input type="radio"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="radio"/> 6</td> <td style="text-align: center;"><input type="radio"/> 6</td> </tr> </tbody> </table>		PTF	DFT		PTF	DFT	Citizen of this State	<input checked="" type="radio"/> 1	<input type="radio"/> 1	Incorporated or Principal Place of Business in This State	<input type="radio"/> 4	<input type="radio"/> 4	Citizen of Another State	<input type="radio"/> 2	<input type="radio"/> 2	Incorporated and Principal Place of Business in Another State	<input type="radio"/> 5	<input checked="" type="radio"/> 5	Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input type="radio"/> 6
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Citizen of this State	<input checked="" type="radio"/> 1	<input type="radio"/> 1	Incorporated or Principal Place of Business in This State	<input type="radio"/> 4	<input type="radio"/> 4																				
Citizen of Another State	<input type="radio"/> 2	<input type="radio"/> 2	Incorporated and Principal Place of Business in Another State	<input type="radio"/> 5	<input checked="" type="radio"/> 5																				
Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input type="radio"/> 6																				

IV. CASE ASSIGNMENT AND NATURE OF SUIT

(Place an X in one category, A-N, that best represents your Cause of Action and one in a corresponding Nature of Suit)

<input type="radio"/> A. Antitrust <input type="checkbox"/> 410 Antitrust	<input checked="" type="radio"/> B. Personal Injury/Malpractice <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input checked="" type="checkbox"/> 362 Medical Malpractice <input type="checkbox"/> 365 Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Product Liability	<input type="radio"/> C. Administrative Agency Review <input type="checkbox"/> 151 Medicare Act <u>Social Security</u> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <u>Other Statutes</u> <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 890 Other Statutory Actions (If Administrative Agency is Involved)	<input type="radio"/> D. Temporary Restraining Order/Preliminary Injunction Any nature of suit from any category may be selected for this category of case assignment. *(If Antitrust, then A governs)*
<input type="radio"/> E. General Civil (Other) OR <input type="radio"/> F. Pro Se General Civil			
<u>Real Property</u> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent, Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property <u>Personal Property</u> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<u>Bankruptcy</u> <input type="checkbox"/> 422 Appeal 27 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <u>Prisoner Petitions</u> <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Conditions <input type="checkbox"/> 560 Civil Detainee – Conditions of Confinement <u>Property Rights</u> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <u>Federal Tax Suits</u> <input type="checkbox"/> 870 Taxes (US plaintiff or defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609	<u>Forfeiture/Penalty</u> <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <u>Other Statutes</u> <input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 430 Banks & Banking Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Organization <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Satellite TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions (if not administrative agency review or Privacy Act)

<input type="radio"/> G. Habeas Corpus/ 2255 <input type="checkbox"/> 530 Habeas Corpus – General <input type="checkbox"/> 510 Motion/Vacate Sentence <input type="checkbox"/> 463 Habeas Corpus – Alien Detainee	<input type="radio"/> H. Employment Discrimination <input type="checkbox"/> 442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) *(If pro se, select this deck)*	<input type="radio"/> I. FOIA/Privacy Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 890 Other Statutory Actions (if Privacy Act) *(If pro se, select this deck)*	<input type="radio"/> J. Student Loan <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (excluding veterans)
<input type="radio"/> K. Labor/ERISA (non-employment) <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Labor Railway Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="radio"/> L. Other Civil Rights (non-employment) <input type="checkbox"/> 441 Voting (if not Voting Rights Act) <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 445 Americans w/Disabilities – Employment <input type="checkbox"/> 446 Americans w/Disabilities – Other <input type="checkbox"/> 448 Education	<input type="radio"/> M. Contract <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholder's Suits <input type="checkbox"/> 190 Other Contracts <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="radio"/> N. Three-Judge Court <input type="checkbox"/> 441 Civil Rights – Voting (if Voting Rights Act)

V. ORIGIN
☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from another district (specify)
 ☐ 6 Multi-district Litigation
 ☐ 7 Appeal to District Judge from Mag. Judge

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)
 Medical malpractice of the Defendants 28 U.S.C. 1332 mm

VII. REQUESTED IN COMPLAINT	CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 <input type="checkbox"/>	DEMAND \$ _____	JURY DEMAND: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
VIII. RELATED CASE(S) IF ANY	(See instruction)	YES <input type="checkbox"/> NO <input type="checkbox"/>	If yes, please complete related case form

DATE: 5-13-16

SIGNATURE OF ATTORNEY OF RECORD _____

INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44
 Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and services of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the cover sheet.

- I. COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence Use 11001 to indicate plaintiff if resident of Washington, DC, 88888 if plaintiff is resident of United States but not Washington, DC, and 99999 if plaintiff is outside the United States
- III. CITIZENSHIP OF PRINCIPAL PARTIES This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II
- IV. CASE ASSIGNMENT AND NATURE OF SUIT The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of the case.
- VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII. RELATED CASE(S), IF ANY If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk's Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

UNITED STATES DISTRICT COURT

for the

District of Columbia



Jesus Badal
620 Raleigh Place SE
Washington, DC 20032

Plaintiff(s)

v.

Laser Spine Institute, et al
656 E. Swedesford Road
Wayne, PA 19087

Defendant(s)

Civil Action No. 1:16:cv917

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Laser Spine Institute
656 E. Swedesford Road, Suite 230
Wayne, PA 19087

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Robert W. King, Esq.
5303 Baltimore Ave, Suite 210
Hyattsville, MD 20781

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. 1:16:cv917

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____ .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Columbia



Jesus Badal
620 Raleigh Place SE
Washington, DC 20032

Plaintiff(s)

v.

Laser Spine Institute, et al.
656 E. Swedesford Road, Suite 230
Wayne, PA 19087

Defendant(s)

Civil Action No. 1:16:cv917

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Keith Girtin
656 E. Swedesford Road, Suite 230
Wayne, PA 19087

A lawsuit has been filed against you.

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Date: _____

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 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
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☐ I returned the summons unexecuted because _____ ; or

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I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

District of Columbia



Jesus Badal
620 Raleigh Place SE
Washington, DC 20032

Plaintiff(s)

v.

Laser Spine Institute, et al.
656 E. Swedesford Road, Suite 230
Wayne, PA 19087

Defendant(s)

Civil Action No. 1:16:cv917

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Eric Finkelstein
656 E. Swedesford Road, Suite 230
Wayne, PA 19087

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CLERK OF COURT

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Signature of Clerk or Deputy Clerk

Civil Action No. 1:16:cv917

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My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: